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<b>Notice of Allowability</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/681,480	BJORK ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Anu Ramana	3733	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the amendment filed on 5/2/06.
2. ☒ The allowed claim(s) is/are 1,2,4,5,7-9,11-13,15,32 and 33.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All    b) ☐ Some\*    c) ☐ None    of the:
  1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
  - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
    - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
  - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- |   |   |
|---|---|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892)  | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)                       |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                | 6. <input checked="" type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date _____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),<br>Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment                               |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material          | 8. <input type="checkbox"/> Examiner's Statement of Reasons for Allowance                         |
|   | 9. <input type="checkbox"/> Other _____   |

  
**EDUARDO C. ROBERT**  
**SUPERVISORY PATENT EXAMINER**

### EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with the Attorney of Record, Z. Peter Sawicki, on May 10, 2006. See attached Interview Summary Form.

The application has been amended as follows:

In the claims (submitted with response filed on September 8, 2005):

In claim 1, line 3: "the" was replaced with - - a - - to correct a minor typographical error.

In claim 1, line 10: replace "the" with - - a - - to correct a minor typographical error.

In claim 4, line 2: "surfaces" was replaced with - - surface - - to correct a minor typographical error.

In claim 4, line 3: - - a - - was inserted after "having" to correct a minor typographical error.

In claim 8, line 2: "comprises" was replaced with - - comprising - - to correct a minor typographical error.

In claim 8, line 6: "the (second occurrence)" and "the (third occurrence)" was replaced with - - a - - to correct a minor typographical error.

In claim 8, line 7: "." after "selected position" was replaced with - - ; and - -

Art Unit: 3733

In claim 8, after line 7: the following was inserted

- - an actuating mechanism having a shaft positionable to force the first and second legs toward one another and frictionally engage the support member within the clamping bore. - -

In claim 11, line 1: "10" was replaced with - - 8 - -

In claim 12, line 1: "10" was replaced with - - 8 - -

In claim 15, line 1: "10" was replaced with - - 8 - -

Claims 10 and 16-31 were canceled.

The following claims were inserted:

- - 32. The surgical joint of claim 1 wherein the second clamping member further comprises a flexible clamping member having wing portions with clamping surfaces that define the socket and wherein as the actuating mechanism forces the second clamping member to frictionally engage the second support member, the wing portions flex such that the clamping surfaces engage the second support member. - -

- - 33. The surgical clamp of claim 12 wherein the second clamping member further comprises a flexible clamping member having wing portions with clamping surfaces that define the socket and wherein as the actuating mechanism forces the second clamping member to frictionally engage the second support member, the wing portions flex such that the clamping surfaces engage the second support member. - -

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably

Art Unit: 3733

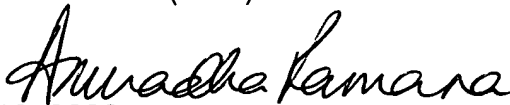
accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Anu Ramana whose telephone number is (571) 272-4718. The examiner can normally be reached Monday through Friday between 8:00 am to 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Eduardo Robert can be reached at (571) 272-4719. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

AR  
May 10, 2006



EDUARDO C. ROBERT  
SUPERVISORY PATENT EXAMINER